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Date:

Dear Dr. Gibbs:

CONTRACT NO. DE-AC06-96RL13308 – W375 – UNITED STATES DEPARTMENT OF ENERGY, REGULATORY UNIT AUTHORIZATION BASIS AMENDMENT REQUEST FOR REVISION OF THE EMPLOYEE CONCERNS PROGRAM (BNFL-5193-ECP-01, REVISION 0)

- References:
- 1) CCN 002883, Letter, D. C. Gibbs, DOE/RL, M. J. Lawrence, BNFL Inc., “U. S. Department of Energy, Regulatory Unit (RU) Response to Authorization Basis Amendment Request for Revision of the Employee Concerns Program (BNFL-5193-ECP-01, Revision 0),” 99-RU-0268, dated April 30, 1999.
 - 2) CCN 002251, Letter, M. J. Bullock, BNFL Inc., D. C. Gibbs, DOE/RL, “Authorization Basis Amendment Request for Revision of the Employee Concerns Program (BNFL-5193-ECP-01, Revision 0),” dated April 2, 1999.
 - 3) CCN 001761, Letter, D. C. Gibbs, DOE/RL, M. J. Bullock, BNFL Inc., “Response to Employee Concerns Program (ECP) Inspection Report,” 99-RU-0167, dated February 17, 1999.
 - 4) CCN 001348, Letter, D. W. Edwards, BNFL Inc., D. C. Gibbs, DOE/RL, “Response to Employee Concerns Program Inspection Report,” dated January 29, 1999.

In Reference 1, the Regulatory Unit (RU) provided comments on the Authorization Basis Amendment Request (ABAR) for a proposed revision to the Tank Waste Remediation System-Privatization Employee Concerns Program (ECP). The resolution of those comments required additional changes to the ECP revision submitted in Reference 2. The ABAR has been revised to provide sufficient detail to substantiate the requested changes and to respond to the RU comments. In Reference 3, the RU stated that the BNFL Inc. response to the inspection report, IR-98-001, was acceptable and provided a table of actions that are being tracked by the RU. Some of the actions were characterized as commitments or were described differently than had been provided in Reference 4. In this letter BNFL Inc. will clarify the actions that have been completed and the actions addressed by the ECP revision.

In preparing the response to the reviewer comments in Reference 1 and the subsequent changes to the proposed Revision 1, BNFL Inc. developed an “underlined/strike-out version” of Revision 0. This document shows individual proposed changes and the associated rationale. The majority of the proposed changes do not meet the criteria in RL/REG-97-13, Revision 5 that would stipulate that BNFL Inc. obtain RU approval. For those changes, no safety evaluation is provided. For some of the proposed changes, an explanation of why BNFL Inc. believes the criteria in RL/REG-97-13 are not met is provided. An evaluation of the technical issues and the bases for the determination is provided for the change that meets the criteria. This information is provided in the attached ABAR (Attachment 1). Specifically, the ABAR includes:

- An underline/strikeout version of Revision 0 of the ECP, with comments.
- A proposed Revision 1A of the ECP (Revision 0 with tracked changes hidden)
- Justification for the change that requires RU approval.

In Revision 1, BNFL Inc. proposed the removal of the quarterly reporting requirement and a change to the latest DOE Order for Employee Concerns Management Systems (DOE O 442.1). However, in light of discussions held with members of the RU staff, BNFL Inc. is retracting those proposals. The changes proposed in this revised amendment request can be categorized as editorial (not requiring RU approval) or as relocation of detail that reduces the commitment of RU control (requires RU approval). The changes proposed retain the commitment to a program that is consistent with the key elements of ECP as described in RL/REG-96-03. Therefore, the RU will retain control of these key elements.

To facilitate the RU review of the proposed ECP revision, BNFL Inc. is retracting the Revision 1 proposed in Reference 2. However, the responses to the questions generated from the review of Revision 1 are provided in Attachment 2.

To facilitate RU closure of Inspection Finding IR-98-001-01-FIN, Attachment 3 provides a response to or the status of the corrective actions described in Table 1 of Reference 3. The relationships between the corrective actions taken by BNFL Inc., commitment numbers assigned by the RU in Table 1, and the proposed revisions to the ECP are also addressed in Attachment 3.

Yours sincerely,

A. J. Dobson
Manager, Safety and Operations
BNFL Inc.

MGE/jca

Attachments: (1) Authorization Basis Amendment Request (ABAR-W375-99-00001, Rev. 1).
(2) Response to Reviewer Comment.
(3) IR-98-001 Corrective Action Status.

cc: <u>Name (ALPHABETIZE)</u>	<u>Organization</u>	MSIN
Barr, R. w/a	DOE/RL	A4-70
Barrett, M.K. w/o	DOE/ORP	H6-60
Brown, N. w/a	DOE/ORP	H6-60
Bullock, M.J. w/a	BNFL Inc.	A116
Dobson, A. J. w/a	BNFL Inc.	A117
Edwards, D. W. w/a	BNFL Inc.	B140
Hawkins, J. w/a	BNFL Inc.	A104
Landry, W. w/o	BNFL Inc.	Fairfax
Lawrence, M.J. w/o	BNFL Inc.	A110
Molnar, E. w/o	BNI	A216
Morgan, S.R.w/o	BNFL Inc.	A119
PDC w/a	BNFL Inc.	K110
Smith, L. w/o	BNFL Inc.	B220
Smyser, L. w/a	PNNL	H6-61
Tooze, R. w/o	BNFL Inc.	Fairfax
Voyles, G. w/a	BNFL Inc.	B105